



## **TOWN OF ACTON**

# **COMMUNITY PRESERVATION PLAN 2006**

## **COMMUNITY PRESERVATION COMMITTEE**

**September 2005**

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## INTRODUCTION

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The Town of Acton Community Preservation Committee ("the Committee") is pleased to present the 2006 Town of Acton *Community Preservation Plan* ("the Plan"). This Plan describes the process for administering the Community Preservation Act (CPA) in the Town of Acton. The Plan presents a description of the CPA as it applies to the Town, a definition of CPA goals, and a methodology and procedure by which the CPA will be administered. As such, it represents an informational document for the citizens of the Town, a guideline and instructional document for applicants seeking project funding through the CPA, and a guidance document for this and future CPA Committees in making recommendations to Town Meeting for project funding. The Committee fully recognizes that this document may be modified by future CPA Committees in response to changing goals and experience with the CPA over time.

Since Acton's adoption of the CPA in 2002, the Town has collected CPA funds through two complete fiscal years and appropriated CPA dollars in two funding rounds:

| <i>Collections</i> |             | <i>Appropriations</i>     |             |
|--------------------|-------------|---------------------------|-------------|
| FY 03:             | \$944,456   | 2004 Annual Town Meeting: | \$873,483   |
| FY 04:             | \$1,078,485 | 2005 Annual Town Meeting: | \$1,083,867 |

This Plan includes a summary report of these appropriations.

The Committee wishes to thank the multitude of Town citizens, Town and State officials, and Committee members, as well as members of neighboring town CPA committees for their help in the development of this Plan.

For additional information on the CPA statute and how it is being applied in towns across the State, visit the Community Preservation Coalition website at [www.communitypreservation.org](http://www.communitypreservation.org). For information on Acton's Community Preservation activity, visit the Town website at [www.acton-ma.gov](http://www.acton-ma.gov).

## THE COMMUNITY PRESERVATION ACT IN ACTON

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The Community Preservation Act, M.G.L. c. 44B, ("the CPA") allows Massachusetts cities and towns to raise monies through a surcharge of up to 3% of the real estate tax levy on real property. These funds may then be used to acquire, create and preserve open space; acquire and preserve historic resources; create, preserve and support community housing; and acquire, create and preserve land for recreational use. The Act also provides significant State matching funds. State CPA distributions matched 100% of locally raised CPA funds in 2003 (\$27.1 million to 56 communities) and 2004 (\$30.8 million to 61 communities). As of June 1 2005, 100 Massachusetts cities and towns have adopted the CPA.

Acton voters approved the Community Preservation Act, M.G.L. c. 44B (the CPA), at the April 2, 2002 Town Meeting and again at the November 5, 2002 Town election. In Acton, voters elected to fund the CPA account through a 1.5% surcharge on all real estate property tax bills with two exemptions:

- Residential property owned and occupied by any person who qualifies for low-income housing, or low- or moderate-income senior housing.
- \$100,000 of taxable value of residential real property.

The collection of CPA surcharges began with Fiscal Year (FY) 2003. FY 2004 was the second year. Collections and appropriations were as follows:

|                          | <b>FY 2003</b> | <b>FY 2004</b> |
|--------------------------|----------------|----------------|
| From local surcharges    | \$470,991      | \$ 539,863     |
| State matching funds     | \$473,465      | \$ 534,467     |
| Reserve from prior years | \$ 0           | \$ 70,973      |
| Interest                 | \$ 0           | \$ 4,155       |
| Total                    | \$944,456.00   | \$1,149,458    |
| Appropriations           | \$873,483      | \$1,083,867    |
| Undedicated Reserve      | \$ 70,973      | \$ 65,591      |

For FY 2005, revenues from the local CPA surcharge are estimated at \$575,000. A 100% State match is expected.

### **Community Preservation Committee: Formation and Responsibilities**

Consistent with the terms of the CPA and with the Community Preservation Committee Bylaw adopted at the April 2, 2002 Town Meeting, the Community Preservation Committee has been formed to administer the CPA. The Committee is appointed by the Selectmen. It consists of three at-large members (Peter Berry, Catherine Coleman, Susan Mitchell-Hardt); representatives of the Board of Selectmen (Walter Foster), Conservation Commission (Andrew Magee), Historical Commission (vacant), Planning Board (Edmund Starzek), Recreation Commission (Matt Lundberg), and Acton Housing Authority (Ken Sghia-Hughes); and two associate members (Nancy Tavernier; vacant). The Selectmen have assigned Roland Bartl, Town Planner, to provide the Committee with staff assistance.

This Plan evolved from the previous years' *Community Preservation Plans*. It incorporates lessons learned from the previous two rounds of project selections and funding appropriations. The Committee makes an ongoing effort to meet with many interest groups, including Town department heads and staff, Town committees, environmental and land trust organizations, and the general citizenry. The Committee uses the 1998 Town of Acton *Master Plan Update*, the 2002 – 2007 Town of Acton *Open Space and Recreation Plan*, the 2004 "To Live in Acton" *Community Development Plan*, and other relevant planning materials for reference and guidance. This Community Preservation Plan attempts to capture Acton's community preservation needs and goals in the three CPA target areas. This Plan also outlines the processes by which the Committee will solicit, review, and recommend proposals for CPA funding, including the application package. It will be updated every year to reflect changes in goals or emphasis.

### **CPA Funding Requirements**

The CPA mandates that each fiscal year Acton must spend, or set aside for later spending, at least 10% of the annual revenues in the Town of Acton Community Preservation Fund for each of three CPA target areas: open space, historic resources, and community housing. Beyond these required allocations, Acton Town Meeting decides how much of the remaining 70% of the funds to spend on the three purposes identified above or for recreation, based on the recommendations of the Committee. The spending mix for the remaining 70% of the Fund can be modified each year, and any monies not appropriated remain in the Fund for future distribution.

A recommendation by the Committee and an appropriation by Town Meeting are both required to spend any Fund monies for particular community preservation purposes. Appropriations from the Fund, except borrowing, are made by a simple majority vote. Borrowing monies for CPA purposes requires a two-thirds majority vote.

Town Meeting may approve, reduce, or reject any amount of spending appropriation recommended by the Committee. At the Committee's recommendation, Town Meeting may also decide to set aside all or part of the annual Fund revenues for later spending by allocating revenues to a reserve for one or more community preservation purpose category. Town Meeting may not, however, increase any recommended appropriation or reservation. In addition, Town Meeting may not appropriate or reserve any fund monies on its own initiative without a prior recommendation by the Committee.

All citizens are welcome to attend the Committee's meetings. The times and locations of these meetings are posted at Town Hall and on the Town website, [www.acton-ma.gov](http://www.acton-ma.gov). Written comments or questions are welcome and may be submitted via email to [cpc@acton-ma.gov](mailto:cpc@acton-ma.gov) or directed to the Community Preservation Committee, c/o Planning Department, Town Hall, 472 Main Street, Acton, MA 01720.

## HOW CPA FUNDS CAN BE USED

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Community Preservation Act funds must be used for public community preservation purposes. The following guidelines summarize these public purposes.

Community preservation is defined by the CPA as, "the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic structures and landscapes, and the creation and preservation of community housing."

Preservation is defined as, "the protection of personal or real property from injury, harm or destruction, but not including maintenance."

As detailed by the CPA, Fund monies may be spent to undertake the following primary community preservation purposes:

- The acquisition, creation, and preservation of open space. Open space, as defined by the CPA, "shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh . . . water marshes and other wetlands, . . . river, stream, lake and pond frontage, . . . lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use."
- The creation, preservation, and support of community housing. The CPA defines community housing as, "low and moderate income housing for individuals and families, including low or moderate income senior housing." The term "support" includes expenditures such as annual payments to the Acton Housing Authority to preserve or expand the affordable housing supply.
- The acquisition and preservation of historic resources. The CPA recognizes historic resources as, "historical structures and landscapes," including "a building, structure, vessel, or real property that is listed or eligible for listing on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture, or culture of a city or town." For CPA purposes, the local historic preservation commission is the Town of Acton Historical Commission.
- The acquisition, creation, and preservation of land for recreational use. The CPA defines recreational use as, "active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. 'Recreational use' shall not include horse or dog racing or the use of land for a stadium, gymnasium, or similar structure."

Community Preservation Act funds may also be used for the following purposes:

- The “rehabilitation or restoration of . . . open space, historic resources, land for recreational use and community housing that is acquired or created” using monies from the Fund.
- A community may “set aside” revenues for “later spending.”
- Annual “administrative and operating expenses” of the Committee, not to exceed 5% of the Fund’s estimated annual revenues.
- Annual principal and interest payments, preparation, issuance and marketing costs for bonds or notes for borrowings for community preservation purposes.
- Damages payable to property owners for real estate interests taken by the Town by eminent domain for community preservation purposes.
- “Local share for state and federal grants” for allowable community preservation purposes.
- Property acquisition-related expenses including appraisal costs, expenses for title searches, and closing fees.

Community Preservation Act funds may **not** be spent for the following purposes:

- “Replace existing operating funds, only augment them.” The Fund is a supplementary funding source intended to increase available resources for community preservation acquisitions and initiatives.
- Pay for routine maintenance, defined as, “the upkeep of any real or personal property.”
- Gymnasiums, stadiums, or any similar structure.
- Projects without a public purpose or public benefit.

## OPEN SPACE AND RECREATION

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In the 1997 - 2002 Town of Acton *Open Space and Recreation Plan* (the OSRP) the residents of Acton identified three key open space and recreation goals:

- Preserve the remaining elements of Acton's rural character
- Protect the environment
- Improve recreational opportunities

In preparing the 2002 - 2007 Acton OSRP the residents of Acton retained these three key goals of the 1997-2002 plan, again recognizing the importance of open space and adequate passive and active recreational areas as critical to preserving the character of the Town and thereby the quality of life shared by its citizens.

### **A. Open Space Resources and Needs**

Although the Town has continued to experience tremendous residential development over the last five years, Acton remains a community with abundant natural and scenic resources, including wetlands, diverse wildlife, conservation areas, ponds, rivers, and open space. These resources contribute to making the Town a desirable place to live, which has fueled its continued residential growth. The Town is at a crossroads, however, where many of these resources are threatened by the very development they attract.

Currently, about 13.8% or 1,802 acres of Acton's almost 13,000 acres are permanently protected as open space. Unprotected municipal or state-owned lands account for approximately 9% of the Town's open space. For a more detailed discussion and breakout of these open spaces, please refer to the OSRP.

The CPA allows and encourages the acquisition, creation, and preservation of open space. CPA funds may be used to protect open space by outright purchase alone, through bonding, through purchases made in conjunction with other private and/or public funds, and/or by extinguishing or limiting development rights through the purchase of permanent land conservation or agricultural preservation easements or restrictions. In identifying multiple land preservation and funding methods, the CPA essentially recognizes the prohibitive costs of land in communities such as Acton, and similarly recognizes that CPA funds alone will likely not be sufficient for the protection of significant tracts of land.

### **Open Space Preservation Goals**

- Preserve the remaining elements of Acton's rural character.
- Preserve the natural and man-made features that contribute to Acton's character such as open fields, woodlands ponds, country roads, scenic vistas, and stone walls. Preserve and protect historic and cultural properties and sites.

- Preserve open space and develop additional public open spaces and parklands including, but not limited to, areas bordering Fort Pond Brook, Nashoba Brook, the Assabet River, and their tributaries.
- Protect and maintain the remaining farmland in Town, including the preservation of the open fields along Route 2. Encourage continued or new farming enterprises.
- Preserve large tracts of undeveloped land.
- Preserve small tracts of undeveloped land that contribute to other open space goals, such as smaller parcels that preserve village center characteristics, or smaller parcels that preserve corridor linkages between larger open space parcels.
- Protect the quality and quantity of Acton's water supply.
- Protect wildlife corridors and wildlife habitat.
- Restore polluted environmental resources.
- Obtain open space through a variety of methods such as, but not limited to, acquiring development rights, outright purchasing potentially developable land, and encouraging property owners to protect and/or preserve their land as open space through conservation restrictions or other means.

## **B. Recreational Resources and Needs**

Between 1990 and 2000 the population of Acton increased by 13.8% to 20,331. Such rapid growth has put a great strain on the Town's existing recreational resources. As the population of Acton has increased, so has the need for new recreational facilities. In addition to increased demand by traditional uses and users, recreational facilities and opportunities need to be broadened to include all age groups and interests, as well as to meet the increasing demand of the youth and adult sports organizations. It is important to plan now for both short- and long-term solutions to this growth. Currently, the Town's active recreation fields and NARA Park make up about 63 acres, not including fields on school campuses. Recently, the Town signed an agreement with the State leasing an additional 10.4 acres of potential recreational fields on School Street. According to the National Recreation and Park Association, Acton should have considerably more active recreation land to meet the needs of its citizens (please refer to the OSRP).

Much of the Town's permanently protected open space includes a network of foot trails that provide opportunities for passive recreation, such as hiking, cross-country skiing, and access to ponds and streams. Public swimming facilities include the High School pool and the NARA pond. Fishing and canoeing can be enjoyed at Ice House Pond, Nashoba Brook, and Fort Pond Brook.

The development of new recreational facilities should take the shape of multi-use recreational zones, which incorporate playing fields, open space, landscaping, and shade to ensure both participant and spectator comfort, land protection, and aesthetic appeal. Funding of such "Rec

Zones” would not only provide much-needed playing fields, but would maximize the benefit of CPA funds by creating open space buffers to offset increased development.

### **Recreation Goals**

- Provide additional athletic fields to meet the needs of the Town’s growing population and develop multi-use “Rec Zones.”
- Develop regional bike trails through Acton.
- Create more expansive human and wildlife corridors.
- Enhance resources for hiking, cross-country skiing, horseback riding, boating, and fishing on conservation lands.
- Ensure universal accessibility to recreational activities (e.g., trails, picnicking, spectating at athletic fields, water-based recreation and camping) at both recreation and conservation areas.
- Acquire land to fulfill identified current and future recreational needs.
- Develop active recreational resources identified in the OSRP including playing fields, improved/new playgrounds, and improved handicapped access; also address adult senior and toddler recreational needs.

## COMMUNITY HOUSING

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The CPA defines “community housing” as housing for persons or families whose annual income is less than 100% of Acton’s areawide<sup>1</sup> median income, which in 2005 is \$82,600 for a family of four. However, for housing units created with CPA funds to be counted toward Acton’s 10% affordable housing goal, the units must serve those households whose annual income is less than 80% of the areawide median income, which in 2005 is \$66,150 for a family of four.

The CPA provides that CPA funds may be expended “for the creation, preservation and support of community housing and for the rehabilitation or restoration ... of community housing,” but not including maintenance. The Acton Housing Authority and the Acton Community Housing Corporation are the agencies best suited to implement community housing projects.

### Community Housing Resources and Needs

During the development of the Acton Master Plan (1991, Update 1998) and the Community Development Plan “To Live in Acton” (2004), residents of the Town reaffirmed their commitment to provide affordable housing opportunities for its citizens. In order to maintain Acton’s community character, it is critical for the Town to encourage and enable a diverse range of Acton resident households to live here. These include municipal and school employees, people who work locally, elderly residents, and the next generation of children.

The average price of homes and rental units in Acton has risen far beyond what many Town employees, first time homebuyers, and renters are able to afford. Affordable housing opportunities help Acton attract and retain talented employees upon whom the Town depends to provide high quality public services.

According to the Governor’s 2003 Chapter 40B Task Force, the lack of affordable housing in Massachusetts continues to be the greatest threat to its economic vitality. Massachusetts will continue to lose population and fail to attract and retain highly skilled labor if affordable housing is not readily available.

Acton has a significant housing affordability gap. In May 2005 the Massachusetts Department of Housing and Community Development certified 183 or 2.39% of Acton’s 7,645<sup>2</sup> dwelling units as deed-restricted affordable housing. That leaves Acton with 582 affordable units short of the Town’s goal of 10% low- or moderate-income housing units. The Town of Acton *Master Plan Update* and the “*To Live in Acton*” report provides more detailed information and should be referred to for additional discussion of community housing.

In 2004, the Town completed the *Community Development Plan To Live in Acton*, which identified these five housing needs in order of priority:

1. Affordable rental units for very-low and low-income families;
2. Affordable rental units designed for low-, moderate- and middle-income senior citizens, and persons with disabilities;

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<sup>1</sup> Boston Primary Metropolitan Statistical Area

<sup>2</sup> U.S. 2000 Census total housing unit count

3. Affordable homeownership units for moderate-income families;
4. Affordable homeownership units in a range of residential use types and sizes for moderate and middle-income seniors; and
5. Homeownership units at below-market prices, affordable to middle-income homebuyers.

### **Community Housing Goals**

The Acton CPC has established the following goals in order to address the housing needs of the community.

- Create, preserve and support community housing and rehabilitate or restore community housing that is acquired or created under the CPA. Give preference to the reuse of existing buildings and to the construction of new buildings on previously developed sites.
- Limit purchase price or rental fees to the Department of Housing and Community Development's established maximum low- and moderate-income limits to ensure that units are counted toward Acton's 10% goal for affordable housing.
- Encourage diversity in Acton's population by achieving a mix of homes that enhances Acton's town character and provides needed choices for its residents.
- Promote a range of economic diversity in housing, including low- and moderate-income housing.
- Promote a range of choices in the types of homes to allow for residents' changing capacities and preferences.
- Preserve the character of Acton's established residential neighborhoods.
- Promote Smart Growth and be guided by sustainable development principles.

## HISTORIC RESOURCES

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Historic Resources are defined by the CPA as buildings, structures, vessels, or real properties that are listed or eligible for listing on the State Register of Historic Places or are significant in the history, archeology, architecture, or culture of Acton as determined by the Acton Historical Commission. CPA funds may be used for the preservation, restoration or rehabilitation of historic resources (including Town-owned historic resources), but not for routine maintenance. Unless such historic resources are in public ownership, the public purpose of investments in historic resources must be apparent, and must be protected by a permanent preservation restriction that ensures a public benefit.

Currently, Acton has a considerable number of historic assets, including municipal buildings, private homes, and ancient artifacts. Listed on the State and National Registers of Historic Places are the Faulkner House, the Jones Tavern, the Exchange Hall, the Jonathan Hosmer House, the John Robbins House, the Isaac Davis Trail (the "Line of March" of the Acton Minutemen in 1775), and the Acton Center Historic District, which includes over 40 buildings and structures. Listing on the State and National Registers recognizes the importance of these properties as resources. Acton's three Local Historic Districts are the Acton Center District, the South Acton District, and the West Acton District. Local Historic District designation under M.G.L. 40C adds all the properties within them to the State Register and provides regulatory protections to preserve the historic integrity of the districts and their buildings, structures, and sites. In addition, the Acton Cultural Resources List and Historic Properties Survey itemizes and describes approximately 400 buildings, structures, and sites townwide. Many of these are outside any of the Local Historic Districts and not listed on the State or National Registers.

### Historic Resources and Needs

The rural, agricultural, and historic character of Acton is currently threatened by the rapid rise of local land values. It is now often more feasible to remove older structures and replace them with new, much larger structures that are frequently out of scale with their neighborhood and setting, a development trend which damages the historic integrity of the Town. The lost structures which gave a sense of history and cultural character to the neighborhood are gone forever. Similarly, the Town is frequently placed in a position of defending itself from large developments and subdivisions that diminish its rural and historic character.

Placement on the Acton Cultural Resource List provides an opportunity to explore alternatives to the demolition of historically significant buildings or structures under Acton's Demolition Delay Bylaw. Many character-contributing historic resources are not listed or adequately documented and some are at risk of demolition. The CPA gives Acton the opportunity to make real the goals and desires of its *Master Plan Update*. These goals and ambitions become much more attainable with a dedicated funding source.

### Historic Preservation Goals

- Protect, preserve, and/or restore historic properties and sites throughout Acton of historical, architectural, archeological, and cultural significance. Work to assist owners with adaptive re-use of historic properties.

- Protect threatened properties of particular historical significance. Fully document the architectural and historical significance of Acton's historic resources and their current condition. Prepare historical/cultural resource-survey form and National Register application forms. Investigate and, if deemed feasible, adopt preservation restrictions for historic properties.
- Preserve the remaining rural/historic character of the Town, including, but not limited to, residential and non-residential buildings, barns, outbuildings, burial grounds, markers, monuments, stone walls, fields, cart paths, historic land- and street-scapes, and scenic vistas. Work to maintain the character of Acton's country roads.
- Continuously update and maintain the existing Town of Acton Historic Properties/Cultural Resource Inventory and archival records.
- Provide education and community outreach regarding the extensive historical and cultural resources within Acton. Develop a signage program for historic structures to increase public awareness of historical and cultural assets within Acton.

## THE CPA FUNDING APPLICATION PROCESS

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The Committee invites CPA funding application for the upcoming funding round. It is the responsibility of the Committee to review all applications and to make recommendation(s) as to which, if any, of these applications should be so funded. The Committee expects to bring its recommendations to the 2005 Annual Town Meeting. The Committee has developed the following four-step process for reviewing, recommending, and funding of CPA proposals.

### **Step 1. Submit Completed Application by November 14, 2005**

Applications (15 printed copies) must be received by Monday, November 14, 2005 to be eligible for ordinary consideration at the 2006 Annual Town Meeting. At its discretion the Committee may accept applications after the deadline for extraordinary reasons.

Applications for CPA funding must be submitted to the following address:

Community Preservation Committee  
c/o Planning Department  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

### **Step 2. Community Preservation Committee Review and Public Comment**

**A. Application Review:** The Community Preservation Committee will review submitted applications to determine whether the proposed projects:

1. Are eligible for Community Preservation funding; and
2. Are sufficiently developed in terms of their work plan and ripe in terms of timing for further consideration; and
3. Are consistent with the goals for CPA funding as set forth in this Plan; and
4. Are signed by the property owner.

**B. Project Review Meetings:** The Committee may ask applicants to meet with the Committee or its representatives to discuss their applications. These meetings will be advertised. The Committee will seek public comments on proposed projects.

**C. Notification:** The Committee will notify applicants of its decisions concerning recommendations. It may ask eligible applicants to submit additional information.

**D. Committee Recommendations:** The Committee will make its final recommendations for funding in the form of one or more warrant articles to be voted on at the 2006 Annual Town Meeting. The Committee may recommend a project as proposed by the applicant, or may modify the project, or it may recommend partial funding or funding for only a portion or phase of the proposed project. The Committee's recommendations to Town Meeting may include detailed project scopes, conditions, and other

specifications as the Committee deems appropriate to ensure CPA compliance and project performance.

### **Step 3. Town Meeting Vote**

The Committee will present its recommendations to the 2006 Annual Town Meeting for discussion and vote. Town Meeting has the final authority to award funds from Acton's Community Preservation Act Fund. A simple majority vote is required to approve funding. A two-thirds vote is required for borrowing.

### **Step 4. Project Execution**

Funding for approved projects will be available following Town Meeting. CPA monies are public funds raised from dedicated Acton tax revenues and from State subsidies to the Town. Projects financed with CPA funds, and carried out on public property or by a public entity must comply with all applicable State and municipal requirements, including the State procurement law, which requires special procedures for the selection of products, vendors, services, and consultants.<sup>3</sup>

All CPA funds are administered and disbursed by the Town of Acton, and project management, oversight, execution, and financial control will be under the control of the Town Manager or his designee. All bid documents or requests for proposals must be approved by the Town Manager before publication. All purchases of goods and services require a Town of Acton purchase order issued by the Town Manager or his designee. Final decisions regarding the selection of goods and services are the responsibility of the Town Manager. All contractual agreements with vendors or service providers must be approved and signed by the Town Manager. Payments are made only after the receipt of goods or services. The Town Manager may approve partial payments for partially completed service as may be specified in a Town-approved service contract or on a case by case basis at his discretion.

Where a private funding source supplements a CPA appropriation for a project to be carried out by the Town of Acton or on land owned by the Town of Acton, all such private funds must be donated to the Town of Acton before any goods or services are procured for the project.

The aforementioned guidelines do not strictly apply, where a CPA appropriation is made as a grant to a non-governmental entity or a governmental or quasi-governmental entity other than the Town of Acton. However, the Community Preservation Committee and the Town Manager, or his designee, may require accounting and reporting procedures that are appropriate in the context of the project and satisfy the Town's need to comply with municipal finance laws.

For questions about procurements and other financial requirements and procedures please contact the Town Treasurer, John Murray, at (978) 264-9612. General questions concerning the application process should be directed to Roland Bartl, Town Planner, via email at [cpc@acton-](mailto:cpc@acton-)

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<sup>3</sup> For Example: Purchases over \$5,000 require the solicitation of at least three quotes. Purchases over \$25,000 require the publication of "invitations for bids" or "requests for proposals". Contracts for goods and services must be awarded to the lowest qualified bidder, which may be someone other than who assisted the applicant with a project application. Project purchases cannot be split to avoid the State procurement laws.

[ma.gov](http://ma.gov), or by calling (978) 264-9636. He will assist you or will direct your inquiry to the appropriate Town staff.

The Committee may request project status updates from Fund recipients. The purpose of such update is to aid the Committee in refining the Plan and to identify issues that may assist future applicants.

## GUIDELINES FOR SUBMISSION

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The following guidelines should be utilized in preparing an application for CPA funding. These guidelines should be utilized in consideration of the applicable Plan goals, and in conjunction with the "Review and Recommendation Criteria" section of this Plan.

- Each project funding application must be submitted using the *Community Preservation Plan* "Project Application Form." Additional pages should be added as necessary.
- Project funding applications (15 printed copies; no e-mail, please) must be received by Monday, November 14, 2005 to be considered at the 2006 Annual Town Meeting. Submit applications to:

Community Preservation Committee  
c/o Planning Department  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

- Project funding applications should be for funding within a 5-year completion period.
- If submitting multiple applications, projects should be submitted in order of priority.
- Applicants should review the CPA, the Acton CPA Bylaw (Chapter S), and this *Community Preservation Plan* prior to submitting CPA funding applications.
- Applicants should prepare itemized project scopes, with details describing each item and its estimated cost.
- Prior to submittal, applicants are encouraged to clarify with the Committee, the Planning Department, or their own legal counsel as to the eligibility of their project under the Community Preservation Act (M.G.L. Ch. 44B).
- Applicants should obtain professionally prepared quotes for project costs whenever possible. If such quotes are not available, detailed cost estimates may be used provided the basis of the estimates is fully explained.
- If the funding application is part of a longer-term project, the applicant should include the total project cost.

Applicants should take the following factors into consideration when completing the application. In evaluating project proposals, the Committee will use these factors in conjunction with the criteria outlined under "Review and Recommendation Criteria":

Community Character:

- a) encourage and preserve open space and agriculture

- b) promote/maintain diversity in housing stock
- c) preserve historic resources
- d) re-use existing structures
- e) enhance social, economic, cultural, historical, and natural resources, and their diversity
- f) preserve/revitalize historic centers/districts
- g) acquire/preserve threatened resources
- h) be consistent with Town planning documents

Community Impact/Needs:

- a) provide present and future uses
- b) increase/expand recreational facilities
- c) protect environmental/water resources
- d) address community need/fill void in community
- e) maximize number of people affected/benefiting
- f) meet needs of under-served populations
- g) meet multiple needs and populations

Fiscal Impact:

- a) initial cost
- b) ongoing maintenance or program costs
- c) minimize financial impact on taxpayers
- d) debt commitment
- e) multiple funding sources
- f) revenue generation
- g) feasibility

Other Factors:

- a) degree of urgency
- b) required timeline or impending deadlines
- c) complexity of execution

For additional information on the CPA statute and how it is being applied in towns across the State, visit the Community Preservation Coalition website at [www.communitypreservation.org](http://www.communitypreservation.org). For information on Acton's Community Preservation activity, visit the Town website at [www.acton-ma.gov](http://www.acton-ma.gov).

## REVIEW AND RECOMMENDATION CRITERIA

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It is the responsibility of the Committee to review all projects proposed for funding through the CPA Fund and to make recommendations to Town Meeting as to which, if any, of the proposed projects should be funded. In order to be considered eligible for review by the Committee, a project must at a minimum meet the statutory requirements of the CPA.

A project submitted to and deemed eligible for consideration by the Committee will be evaluated in relation to the following "Review and Recommendation Criteria." Recommendations for funding will be based on how well the individual projects meet these criteria, recognizing that all criteria may not apply to every project. The Committee will also give due consideration to the urgency of the project, with particular consideration given to those projects whose successful implementation is constrained by scheduling factors not controlled by the applicant.

- The project is consistent with the goals of the Town of Acton *Community Preservation Plan*.
- The project is consistent with the Town of Acton *Master Plan Update*, the Town of Acton *Open Space and Recreation Plan*, and other Town planning documents that have received wide scrutiny and input. These are available at the Acton Planning Department, the libraries, and on [www.acton-ma.gov](http://www.acton-ma.gov).
- The project is economically or otherwise reasonably feasible to implement.
- The project serves a currently under-served population.
- The project serves multiple needs and populations and/or addresses more than one focus area of the CPA.
- The project leverages additional or multiple sources of public and/or private funding.
- The project utilizes, preserves, protects, or enhances currently Town-owned open space, recreation, historic and/or housing assets.
- The project is consistent with recent Town Meeting actions.
- The applicant/applicant team has successfully implemented projects of similar type and scale, or has demonstrated the ability and competency to implement the project as proposed.
- The applicant has site control, or the written consent by the property owner to submit an application.

## PROJECT APPLICATION FORM – 2006

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**Applicant:** \_\_\_\_\_

**Submission Date:** \_\_\_\_\_

**Applicant's Address, Phone Number and Email**

**Purpose: (Please select all that apply)**

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- ☐ Open Space
- ☐ Community Housing
- ☐ Historic Preservation
- ☐ Recreation

**Town Committee (if applicable):** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Project Location/Address:** \_\_\_\_\_

**Amount Requested: \$** \_\_\_\_\_

**Project Summary:** In the space below, provide a brief summary of the project.

**Estimated Date for Commencement of Project:** \_\_\_\_\_

**Estimated Date for Completion of Project:** \_\_\_\_\_

## **APPLICATION INSTRUCTIONS AND REQUIRED ATTACHMENTS**

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**Submit 15 complete printed copies (e-mails will not be accepted) of the application, including all attachments, to:**

**Community Preservation Committee  
c/o Planning Department  
Acton Town Hall  
472 Main Street  
Acton, MA 01720**

**Attach the following with all applications:**

- **Narrative:** A complete and detailed description of the project and, when applicable, of the property involved and its proposed use. Describe how the project will benefit the Town and the citizens of Acton and how the project is consistent with the Community Preservation Plan's "Guidelines for Submission" and "Review and Recommendation Criteria." Include a work plan showing the anticipated steps or phases for completion of the project and the timing and estimated cost of each phase.
- **Site Control:** A copy of the deed, purchase and sale agreement, option agreement, or other document to prove that the applicant has site control; or the property owner's written consent to the application and to the proposed project. If site control is not established, please explain in detail.
- **Project Scope:** An itemized project scope, with details describing each item and its estimated cost.
- **Cost Estimate:** Professionally prepared appraisal; or professionally prepared cost estimate (or detailed cost estimate with full explanation by line item and back-up material).
- **Feasibility:** List and explain all further action or steps that will be required for completion of the project, such as environmental assessments, zoning or other permits and approvals, agreement on terms of any required conservation, affordability, or historic preservation restrictions, subordination agreements, and any known or potential barriers or impediments to project implementation.
- **Maps:** USGS topographical map, assessors map, or other map as appropriate, showing location of the project.
- **Photographs** of the site, building, structure, or other subject for which the application is made.

**Include the following, if applicable and available:**

- Record plans of the land.
- Natural resource limitations (wetlands, flood plain, etc.).

- Zoning (district, dimensional and use regulations as applies to the land).
- Inspection reports.
- 21E Reports and other environmental assessment reports.
- Architectural plans and specifications for new construction and rehabilitation.
- Site plans and specifications.
- Maps, renderings, etc.
- Historic inventory sheet.
- Existing conditions report.
- Names and addresses of project architects, contractors, and consultants.
- Other information deemed useful for the Committee in considering the project.

**Notes:**

- Following the initial review of all applications, the Community Preservation Committee may request from applicants additional or more detailed information, and further clarifications to the submitted proposals. The Committee may request from the applicant a legal opinion to help it assess CPA project eligibility and to provide answers to any other questions that the Committee may have before finalizing its recommendation to Town Meeting.
- Once the Committee has made a preliminary selection of projects for funding, the Committee will work with the applicants for those projects to advance them for funding by Town Meeting.
- The Committee reserves the right to attach conditions, and to require deed restrictions and additional agreements, before its favorable funding recommendation to Town Meeting.

# APPENDIX

## 1. Bureau of Local Services Schedule A4; December 01, 2004 (2 pages)

BUREAU OF ACCOUNTS  
SCHEDULE A-4\*  
COMMUNITY PRESERVATION FUND CH. 44B  
ACTON

| City/Town/District                     |   | (a)<br>FY2004<br>Actual Revenues | (b)<br>FY2005<br>Estimated Revenues |
|--|---|----------------------------------|-------------------------------------|
| 1. Annual revenues and available funds |   |                                  |                                     |
| a.                                     | Surcharge   | \$ 539,863.00                    | \$ 539,863.00                       |
|  | State trust fund distribution                       | 473,465.00                       | 534,467.00                          |
|  | Other <u>Interest Income</u>                        | 4,155.00                         | 4,155.00                            |
|  | Total annual revenue.                               | \$ 1,017,483.00                  | \$ 1,078,485.00                     |
|  | Fund Reserves                                       |                                  |                                     |
|  | Fund Balance  |                                  |                                     |
|  | Other _____   |                                  |                                     |
|  | Total current year revenues and available funds     | 1,017,483.00                     | 1,078,485.00                        |
| b.                                     | Fund balance and reserves appropriated for PY costs |                                  |                                     |
|  | TOTAL Revenues and Available Funds                  | \$ 1,017,483.00                  | \$ 1,078,485.00                     |

To Recap, Part IIIB, line 4

\* Written documentation should be submitted to support increases/decreases of estimated revenues to actual revenues.

I hereby certify that the amount of fund reserves, fund balance and other available funds reported in Part I column(b) correctly reflects the votes of town meeting/city council.

Erik K. Bowen  
Clerk

Dec 1, 2004  
Date

I hereby certify that actual revenues, as shown in Part 1 column (a) are to the best of my knowledge correct and complete.

Stephen A. Banett CPA  
Accounting Officer

12-1-2004  
Date

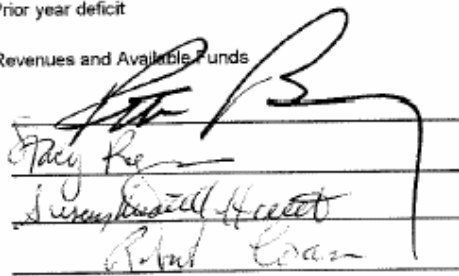
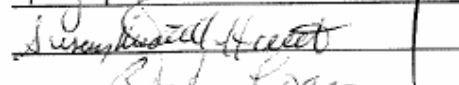
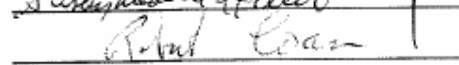
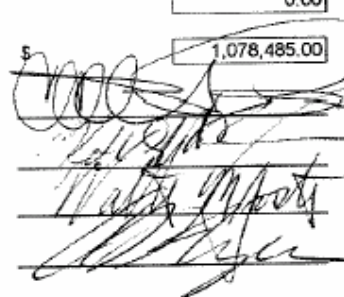

We hereby attest that the revenues itemized above have not been used as a revenue source elsewhere in Tax Rate or Pro Forma recap.

James H. Miller  
James H. Miller  
Board of Assessors

12-1-2004  
Date

12/1/2004 3:03 PM

# APPENDIX

|  |    |  |                              |
|--|----|--|------------------------------|
| <u>ACTON</u>   |    | <b>SCHEDULE A-4</b>  |                              |
| City or Town   |    |  |                              |
| 2. Appropriations, Reservations and Other  |    |  |                              |
| a. Appropriations  |    |  |                              |
| Administrative expenses  | \$ | 42,796.00  |                              |
| Debt service   |    |  |                              |
| Acquisitions and projects  |    | 630,685.00   |                              |
| Other _____  |    |  |                              |
| Reserves appropriated for PY costs   |    |  | (Must equal Part 1b (b))     |
| Total Appropriations   | \$ | 673,483.00   | *To Recap page 4, col e      |
| b. Reservations  |    |  |                              |
| Open Space   | \$ | 200,000.00   |                              |
| Historic Resources   |    |  |                              |
| Community Housing  |    |  |                              |
| Budgeted Reserve to be appropriated  |    |  |                              |
| Total Reservations   | \$ | 200,000.00   | *To Recap page 4, col e      |
| c. Other (unappropriated, unreserved)  | \$ | 205,002.00   |                              |
| TOTAL Appropriations, Reservations and Other   | \$ | 1,078,485.00   |                              |
| 3. Prior Year Deficits   | \$ |  | **To Recap, part IIB, Line 6 |
| 4. Community Preservation Fund Recap   |    |  |                              |
| Total Appropriations, Reservations and Other   | \$ | 1,078,485.00   |                              |
| Add: Prior year deficit  |    | 0.00   |                              |
| Total Revenues and Available Funds   | \$ | 1,078,485.00   |                              |
| <br>Tracy Re<br><br>Susan Daniel Hackett<br><br>Robert Coan |    | <br>Walter M. Potts<br><br>[illegible] |                              |
| Community Preservation Committee   |    |  |                              |

12/1/2004 3:03 PM

## APPENDIX

### 2. a 2003 Project Proposals and Committee Funding Recommendations

CPC - Final Project Recommendations for Funding from FY 03 Fund Balance

|    | Proponent                             | Proposals  | Request     | Committee Recommendation | CPA Category        |
|----|---------------------------------------|--|-------------|--------------------------|---------------------|
| 1  | Town of Acton                         | Assabet River Rail Trail - design and construction                       | \$170,000   | \$170,000                | recreation/historic |
| 2  | Acton Community Housing Corporation   | 214 Central Street/28 Willow Street Affordable Housing Feasibility Study | \$25,000    | \$25,000                 | housing             |
| 3  | Acton Community Housing Corporation   | Community Housing Fund   | \$75,000    | \$25,000                 | housing             |
| 4  | Acton Historical Commission           | Cultural Resource List Update  | \$20,000    | \$20,000                 | historic            |
| 5  | Town of Acton                         | Davis Monument restoration   | \$50,000    | \$50,000                 | historic            |
| 6  | East Acton Village Planning Committee | East Acton Village Green   | \$70,000    | \$0                      |                     |
| 7  | Acton Housing Authority               | Family Housing Initiative  | \$200,000   | \$200,000                | housing             |
| 8  | Acton Memorial Library                | Historic Flag Preservation   | \$5,600     | \$5,600                  | historic            |
| 9  | Historic District Commission          | Historic District Boundary Signs   | \$8,285     | \$8,285                  | historic            |
| 10 | Acton Boxborough Regional High School | Leary Field synthetic turf (withdrawn)                                   | \$129,250   | \$0                      |                     |
| 11 | Town of Acton                         | Morrison Farm master plan and field development                          | \$442,300   | \$59,800                 | unspecified         |
| 12 | Brian and Ruth Bendig                 | Barn Restoration   | \$48,000    | \$0                      |                     |
| 13 | T. J. O'Grady Skate Park, Inc.        | T. J. O'Grady Skate Park construction                                    | \$67,000    | \$67,000                 | recreation          |
| 14 | Charles W. Richard III                | Quarry Road town forest addition   | \$80,000    | \$0                      |                     |
| 15 | CPC                                   | open space reserve   |             | \$200,000                | open space          |
| 16 | Town of Acton                         | administration/reimbursement to town                                     | \$42,798    | \$42,798                 | admin.              |
|    |                                       | <b>Totals</b>  | \$1,433,233 | \$873,483                |                     |
|    |                                       | <b>Available Funds</b>   | \$944,456   | \$944,456                |                     |
|    |                                       | <b>Balance</b>   | (\$488,777) | \$70,973                 | unspecified reserve |

The 2004 Annual Town Meeting adopted the Committee's recommendations.

## APPENDIX

### 2. b 2004 Project Proposals and Committee Funding Recommendations

| CPC - Final Project Recommendations for Funding from FY 04 Fund Balance |                        |   |                    |                          |                    |
|---|------------------------|---|--------------------|--------------------------|--------------------|
|   | Proponent              | Proposals   | Request            | Committee Recommendation | CPA Category       |
| 1   | Housing Authority      | Affordable Housing Administrative Support (withdrawn)           | \$20,000           | \$0                      |                    |
| 2   | Housing Authority      | Recreation Area McCarthy Village                                | \$20,000           | \$20,000                 | housing/recreation |
| 3   | ACHC                   | Community Housing Program Fund (as amended)                     | \$165,000          | \$160,000                | housing            |
| 4   | Habitat for Humanity   | Habitat Home  | \$35,000           | \$0                      |                    |
| 5   | Iron Work Farm         | Jones Tavern Chimney Repair (as amended)                        | \$30,000           | \$30,000                 | historic           |
| 6   | Town of Acton          | Town Hall Slate Roof Replacement                                | \$126,250          | \$120,000                | historic           |
| 7   | Acton Memorial Library | Civil War Artifacts - Preservation and Display                  | \$30,150           | \$30,150                 | historic           |
| 8   | Town of Acton          | Faulkner Plaque Installation - Town Hall                        | \$1,000            | \$1,000                  | historic           |
| 9   | Town of Acton          | Pine Hawk Site Artifacts - Preservation and Display             | \$24,000           | \$24,000                 | historic           |
| 10  | Town of Acton          | Antique Fire Apparatus Restoration                              | \$20,000           | \$20,000                 | historic           |
| 11  | Town of Acton          | Bruce Freeman Rail Trail - Start-Up Funding                     | \$75,000           | \$75,000                 | recreation         |
| 12  | Friends of Leary Field | Leary Field - Multi-use Recreation Space                        | \$250,000          | \$250,000                | recreation         |
| 13  | Ms. Terra Friedrichs   | Town Character Research   | \$25,000           | \$0                      |                    |
| 14  | CPC                    | Open Space reserve  |                    | \$300,000                | open space         |
| 15  | CPC                    | Reimbursement to Town of Acton -Administrative Support Services |                    | \$53,717                 | admin.             |
| <b>Total</b>  |                        |   | <b>\$821,400</b>   | <b>\$1,083,867</b>       |                    |
| <b>Available Funds</b>  |                        |   | <b>\$1,149,458</b> | <b>\$1,149,458</b>       |                    |
| <b>Balance</b>  |                        |   | <b>\$328,058</b>   | <b>\$65,592</b>          |                    |

The 2005 Annual Town Meeting adopted the CPC recommendation.

The annual Open Space Reserve Fund appropriations are cumulative and subject to future appropriation by Town Meeting for specific projects or land acquisitions. The total Open Space Reserve Fund after the 2005 Annual Town Meeting is \$500,000.

## APPENDIX

### 3. 2005 Annual Town Meeting, Art. 17; Community Preservation Program (this article was adopted as shown)

#### ARTICLE 17 (Majority vote)

#### COMMUNITY PRESERVATION PROGRAM DIRECT APPROPRIATIONS FROM FUND BALANCE

To see if the Town will vote to appropriate or to set aside for later appropriation, and to authorize the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2004 Community Preservation Fund balance as set forth herein, the following amounts for community preservation purposes with each item considered a separate appropriation:

| <b>FY 2004 COMMUNITY PRESERVATION FUND BALANCE</b>   |                            |
|--|----------------------------|
| Community Preservation Fund Surcharge Collected in FY 2004   | \$ 539,863.00              |
| State Community Preservation Trust Fund Receipt, October 2004  | \$ 534,467.00              |
| Interest Earned FY 2004  | \$ 4,155.00                |
| Unencumbered funds from FY 2003 Fund Balance   | \$ 70,972.71               |
| <b>Total - FY 2004 Community Preservation Fund Balance</b>   | <b>\$1,149,457.71</b>      |
| <b>APPROPRIATIONS</b>  |                            |
| <b>Purpose</b>   | <b>Recommended Amounts</b> |
| <b>Set Aside Appropriation – Open Space</b>  |                            |
| A. Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration   | \$ 300,000.00              |
| <b>Spending Appropriations</b>   |                            |
| B. Design and Construction of a Recreational Area at McCarthy Village  | \$ 20,000.00               |
| C. Community Housing Program Fund - Creation, Preservation, and Support of Community Housing in the Town of Acton                                      | \$ 160,000.00              |
| D. Jones Tavern Chimney Stabilization  | \$ 30,000.00               |
| E. Town Hall Slate Roof Replacement  | \$ 120,000.00              |
| F. Library Restoration for the Display of Acton's Civil War Artifacts  | \$ 30,150.00               |
| G. Colonel Francis Faulkner Memorial Plaque Replacement  | \$ 1,000.00                |
| H. Pine Hawk Curatorial Display  | \$ 24,000.00               |
| I. Antique Fire Apparatus Restoration  | \$ 20,000.00               |
| J. Bruce Freeman Rail Trail Start-up Funding   | \$ 75,000.00               |
| K. Create a New Multi-Use Recreation Space at Leary Field  | \$ 250,000.00              |
| <b>Administrative Spending Appropriation</b>   |                            |
| L. A fund reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee | \$ 53,716.50               |
| <b>Total Recommended Appropriations</b>  | <b>\$1,083,866.50</b>      |
| Remaining FY 2004 fund balance   | \$ 65,591.21               |

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

## APPENDIX

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And, whereas the recommended appropriations for open space, historic preservation, and community housing each exceed 10% of the Community Preservation Fund balance.

And, whereas Town Meeting may vote to delete or reduce any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted or reduced, vote to appropriate as a set-aside for future spending from the FY 2004 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% (\$114,945.78) for open space, not less than 10% (\$114,945.78) for historic preservation, and not less than 10% (\$114,945.78) for community housing.

, or take any other action relative thereto.

### SUMMARY

This article would make appropriations from the Town's Community Preservation Fund. In 2002, the Town adopted the Community Preservation Act, Massachusetts General Laws Chapter 44B (M.G.L. Ch. 44B). This established Acton's Community Preservation Fund through a 1.5% annual surcharge on real estate property tax bills with certain exemptions, and made the Town eligible to receive annually additional monies from the Massachusetts Community Preservation Trust Fund, which are added to the Town's Community Preservation Fund. Under the law, the Community Preservation Fund may be used to acquire, create and preserve open space; to acquire, preserve, rehabilitate, and restore historic resources; to create, preserve and support community housing; to acquire, create and preserve land for recreational use; and for certain related expenses in support of the foregoing. Community housing is defined as housing for low- and moderate-income individuals and families. This is the second year of appropriations from Acton's Community Preservation Fund.

Local adoption of the Community Preservation Act established the Acton Community Preservation Committee as a statutory committee under the Act (Chapter S of the Bylaws of the Town of Acton). The Community Preservation Committee's duties under the law are to study the needs, possibilities, resources, and preferences of the Town regarding community preservation; to engage in an open and public process of deliberation and consult with other Town Boards and Committees; and to make recommendations to Town Meeting for appropriations from the Community Preservation Fund.

In October, the Community Preservation Committee published its 2005 Community Preservation Plan with guidelines for the submission of projects seeking funding. By November 12, 2004, it had received thirteen funding applications for proposed community preservation projects. The Committee reviewed all proposals, interviewed proponents, and solicited legal opinions on the proposals to help evaluate their eligibility under M.G.L. Ch. 44B. This article represents the Committee's spending recommendations from the Community Preservation Fund balance. All recommended amounts are "up-to" spending limits. Savings, if any, will be available for future appropriations. Not all projects that were proposed to the Community Preservation Committee have been recommended for funding, and some of the recommended projects have not been recommended at the funding level that their proponents had requested. The recommended appropriations leave a remaining fund balance of \$65,591.21 that is available for future Town Meeting appropriations under the Community Preservation Act.

Under M.G.L. Ch. 44B, Town Meeting may delete or reduce any of the recommended appropriations, but may not add new items or increase appropriations. However, M.G.L. Ch.

## APPENDIX

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44B requires that the Community Preservation Committee recommends in each fiscal year the spending of not less than 10% of the annual revenues in the Community Preservation Fund for each of the following: Open space (not including land for active recreation purposes); historic preservation; and community housing. The Committee may also recommend the taking by the Town of interest in real property, the set-aside of funds for later spending, and appropriation of not more than 5% of the annual revenues of the Community Preservation Fund for the Committee's administrative and operating expenses.

### **A. Open Space Set-Aside**

This item sets aside a fund from which Town Meeting may appropriate spending in future years for the purpose of acquisition, creation, and preservation of open space and the rehabilitation and restoration of such open space. Together with last year's open space appropriation, the recommended amount will bring the balance in the open space set-aside to \$500,000.

|                         |                                  |                                 |
|-------------------------|----------------------------------|---------------------------------|
| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **B. McCarthy Village Recreational Area**

The Acton Housing Authority owns McCarthy Village and rents its 35 housing units to low-income families and individuals. McCarthy Village is located on Sachem Way off Great Road just north of Harris Street. The requested appropriation is for the design and construction of a recreational area at McCarthy Village to benefit its residents. The project will be carried out by the Acton Housing Authority, which will hire a project designer and contractor. Initial concepts include items such as a picnic area, a sand volleyball court, a basketball backboard, and a horseshoe/bocce court. There are currently no recreational or playground facilities at McCarthy Village. Twenty-six children presently live there.

|                         |                                  |                                 |
|-------------------------|----------------------------------|---------------------------------|
| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **C. Community Housing Program Fund**

This requested appropriation will be for the creation, preservation, and support of community housing in the Town of Acton, and will supplement and incorporate the Community Housing Fund appropriations of 2004. The Program Fund would be used to finance new affordable housing initiatives. This set-aside fund will be retained as a special CPA fund earmarked for appropriate affordable housing activities recommended by the Acton Community Housing Corporation (ACHC) or any other entity approved by the Board of Selectmen. Many of the potential uses of the Program Fund could create affordable housing units in existing properties without the need for new construction and further sprawl. This Fund could be used in a variety of ways to serve low- and moderate-income households in Acton seeking affordable housing, both rental and homeownership.

Some of the allowable uses of the Fund include acquisition, rehabilitation, and conversion of existing housing stock; new development; refinancing or repurchase of existing affordability restrictions about to expire; purchase of new affordable housing deed restrictions; accessibility modifications of affordable units for persons with disabilities; and assistance to low- and moderate-income buyers with mortgage costs, down payments, site improvements, or closing costs.

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Under ACHC's enabling statute, expenditure of such funds by ACHC requires the approval of the Board of Selectmen. The ACHC would keep the Community Preservation Committee and the Board of Selectmen informed about the use of this Fund with periodic reports and would seek guidance as appropriate.

|                         |                                  |                                 |
|-------------------------|----------------------------------|---------------------------------|
| <b>Recommendations:</b> | <u><b>Board of Selectmen</b></u> | <u><b>Finance Committee</b></u> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **D. Jones Tavern Chimney Stabilization**

Jones Tavern in South Acton Village is an important historic and cultural resource in Acton. The pre-revolutionary tavern is on the National Register of Historic Places. Iron Work Farm in Acton, Inc. is an educational non-profit historical corporation, and has owned the property since 1964. The recommended appropriation will provide Iron Work Farm with funds to stabilize and restore the building's four brick chimneys, which date from 1732 to 1845. The work has become necessary due to cracks and deep erosion of the mortar joints, and the disintegration of interior flue partitions. Iron Work Farm has committed \$5,000 in additional funds to the project.

|                         |                                  |                                 |
|-------------------------|----------------------------------|---------------------------------|
| <b>Recommendations:</b> | <u><b>Board of Selectmen</b></u> | <u><b>Finance Committee</b></u> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **E. Town Hall Slate Roof Replacement**

The Acton Town Hall is an important historic and cultural resource and on the National Register of Historic Places. It houses all municipal administrative functions. The slate roof on the historic portion of the building is original to the building, which was constructed in 1862-64. This recommended appropriation will provide the Town with funds to replace roof slates, flashing, deteriorated sheathing boards, and other related work as necessary. The roof began shedding slates some years ago and the failure rate seems to be accelerating. A recent inspection found many broken, cracked, and loose slates, and that the slates are weathered and near the end of their useful life. Additionally, the inspection uncovered open joints between the slates, pinholes on the ridge flashing, and water stains on interior rafters indicating current leakage. If left unattended, more moisture will infiltrate and deteriorate the building's structural members and interior finishes, as has already occurred in the Selectmen's hearing room, Room 204.

|                         |                                  |                                 |
|-------------------------|----------------------------------|---------------------------------|
| <b>Recommendations:</b> | <u><b>Board of Selectmen</b></u> | <u><b>Finance Committee</b></u> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **F. Library Restoration for the Display of Acton's Civil War Artifacts**

This appropriation will restore the original Acton Memorial Library building so as to once again allow the display of Civil War era documents and artifacts that the library has in storage and that were donated by and relating to Acton citizens who fought, and often died, in the Civil War. The original library building was constructed and donated to the Town in 1890 by William Wilde in memory of Acton citizens who fought in the Civil War. It is on the National Register of Historic Places and the only Civil War memorial in Acton. During the recent library expansion, the old building was reconditioned and space was set aside for the display of the Civil War artifacts in keeping with the buildings original design. The project includes items such as the restoration of three alcoves as exhibit space; design of the exhibit; installation of protective exhibit panels and

## APPENDIX

cases, text, graphics, photos, and appropriate lighting. The Acton Memorial Library Trustees have committed \$4,000 of additional funding to this project.

|                         |                                  |                                 |  |
|-------------------------|----------------------------------|---------------------------------|--|
| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |  |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |  |

### **G. Colonel Francis Faulkner Memorial Plaque Replacement**

Colonel Francis Faulkner was Acton's longest serving Selectman from 1760 to 1796 during which time he also served as Town Clerk. He distinguished himself in numerous ways throughout his years of service and particularly during the tumultuous times of the American Revolution. In 1925, a bronze tablet in his honor was placed in the new Acton High School building (Towne School) along with several other memorial tablets. All these memorials were stripped and got lost when the building was converted to an elementary school in the 1970s. With the recommended appropriation the Town will obtain a new plaque memorializing Francis Faulkner and place it in the Selectmen's hearing room, Town Hall Room 204.

|                         |                                  |                                 |
|-------------------------|----------------------------------|---------------------------------|
| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **H. Pine Hawk Curatorial Display**

This recommended appropriation will fund the creation of a secure, climate controlled curatorial display in the Acton Town Hall of 4000 to 8000 year-old Native American artifacts found at the Pine Hawk Site. These artifacts were discovered on a terrace overlooking the Assabet River during an intensive archeological dig after routine site investigations for the construction of the Fort Pond Brook Sewer District treatment plant suggested the potential presence of historic artifacts. The collection, which includes numerous projectile points, stone tools, charcoal fragments, and stone shards, is federally protected and currently in safe storage at the Public Archeology Lab in Rhode Island. This project will make the collection of artifacts accessible to Acton residents. The display must meet Federal and Massachusetts Historical Commission standards.

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| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **I. Antique Fire Apparatus Restoration**

The Town of Acton owns two antique Reo Fire Apparatus. The Town bought them new in 1936 and kept them in service until 1973. Only one of them is presently operable. Both need restoration work. This recommended appropriation will rebuild one of the gasoline engines; repair brakes, transmissions, and front ends; replace tires; and fund repairs or replacements for chrome parts, paint, upholstery, and some detail work. The total estimated project cost is \$35,000. Additional funding is being provided by Acton firefighters (\$6,000) and other private donations, and much of the labor is also provided by Acton firefighters. When completed, both antique apparatus will be functional for use in public historical education, school programs, parades, weddings, and similar events and functions.

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| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

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### **J. Bruce Freeman Rail Trail**

The Bruce Freeman Rail Trail will be a multi-use path on the former Penn Central Railroad right-of-way in Acton, now owned by the Massachusetts Executive Office of Transportation. The Bruce Freeman Rail Trail is planned to extend 22 miles, from Sudbury to Lowell. In Acton, the trail will run 4.6 miles from the Concord line in East Acton to the Carlisle line in North Acton. The Town has previously funded a feasibility study for the Acton portion. The recommended appropriation will provide start-up funding in three areas:

- Right-of-way acquisition negotiations with the Executive Office of Transportation: While it is apparent State policy to convey the right of way at no cost, the Town is anticipating significant legal negotiations over the terms of the conveyance to ensure that Acton residents will not be saddled with potentially costly environmental liabilities. This would fund the legal support for these negotiations.
- Easement negotiations for alternative routing at Rex Lumber: The right of way runs through property owned by Rex Lumber whose land also abuts the North Acton Recreation Area (NARA). In connection with the NARA development, the Town has agreed with Rex Lumber that it would in good faith negotiate an alternate trail route through the Rex Lumber site. This would fund the legal support for these negotiations.
- A safe crossing at Route 2A (Great Road): The feasibility study recommends a signalized crossing but acknowledges that the Massachusetts Highway Department, which controls Route 2A, may opt initially for an unsignalized crosswalk and then monitor the location and evaluate if a signal would be needed. The Town feels that a simple grade crossing, even if signalized, will not be sufficient to prevent accidents. This would fund the exploration of alternatives, such as a gated at-grade crossing or a grade-separated crossing.

Remaining funds, if any, will be applied towards survey work in support of subsequent engineering and construction work. Looking ahead, the total cost for design and construction of the Acton segment of the Bruce Freeman Rail Trail is presently estimated at \$4.4 million. A safer design for the Route 2A crossings may increase the cost. The current funding structure for bikeways is 75-80% Federal, +/-10% State, and about 15% local monies.

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| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **K. Multi-Use Recreation Space at Leary Field**

The present Leary Field on the Acton-Boxborough Regional School campus is sized for football and does not accommodate the larger field dimensions for other sports, such as soccer and lacrosse. Its grass surface needs extensive resting periods and is not usable during unfavorable weather conditions, which limits field usage to an average of 70 days per year. It is used primarily by the schools.

This recommend appropriation will help fund the creation of a new and expanded multi-use recreation space at Leary Field. The project will replace the present grass and dirt surface with a larger artificial "Field Turf" surface (or equivalent material) that will accommodate football, full-size soccer and lacrosse, and other sports and community activities. It includes related improvements required for the Field Turf installation, such as grading and drainage, and to support the multi-use purpose of the new Leary Field, such as movable goal posts and new track pits. Field Turf is expected to support usage for 250 or more days in a year. This will allow

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community-wide use of the new facility. An inter-municipal agreement between the Town of Acton and the Acton-Boxborough Regional School district sets forth the terms by which the new Leary Field will be shared. See Article 18, below. The vastly extended usage times without the need for rest periods makes the new Leary Field project equivalent to the creation of new play fields elsewhere in Town. Field Turf offers an 8-year warranty. These installations have performed well and reliably for more than a decade and, by all accounts, provide a safer playing surface resulting in fewer injuries.

The entire project cost is estimated at \$750,000, with 1/3 from this appropriation of Community Preservation funds, 1/3 from private donations, and 1/3 from the high school expansion capital project fund. Field maintenance will be performed with a multipurpose sweeper/groomer. The estimated annual maintenance cost is approximately \$6,000, as compared to +/- \$50,000 per occurrence for natural sod replacements. The new Leary Field will not require irrigation, fertilizers, herbicides, or pesticides.

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| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

### **L. Administrative and Operating Expenses**

The requested appropriation is 5% of the FY 2004 revenues in the community preservation fund as provided in the M.G.L. Ch. 44B, S. 6 (local surcharge plus State trust fund receipt). It reimburses the Town for administrative and legal support services for the Community Preservation Committee and Program.

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| <b>Recommendations:</b> | <b><u>Board of Selectmen</u></b> | <b><u>Finance Committee</u></b> |
|                         | <b>Recommended</b>               | <b>Deferred</b>                 |

Direct Inquiries to: Roland Bartl, AICP, Town Planner  
planning@acton-ma.gov / (978) 264-9636  
Selectman assigned: Walter M. Foster: bos@acton-ma.gov

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### 4. 2004 Annual Town Report of the Community Preservation Committee

#### **Community Preservation Committee 2004 Annual Report**

The Community Preservation Committee (CPC) is responsible for the administration of the Community Preservation Fund, the selection and recommendation to Town Meeting of projects for funding, and the monitoring of the progress of funded community preservation projects. By statute, Community Preservation Act funds may be allocated to those projects which support the preservation and/or enhancement of open space, historic resources, community housing, and land for recreational use.

The CPC enjoyed great success in 2004, its first full year of operation. With Article 18 on the April 2004 Annual Town Meeting warrant, the Committee recommended ten projects totaling \$630,685, a \$200,000 set-aside for future open space preservation, and funds to cover administrative costs. Citizens at Town Meeting voted overwhelmingly in favor of the full article. Several of the approved projects, such as the restoration of the Town Monument, have already been completed, while others are ongoing.

As of June 30, 2004, the Town raised \$539,863 from the local CPA surcharge for FY2004 and in October 2004 received \$534,467 in State matching funds. Together with \$4,155 interest earned in FY 2004, and \$70,972.71 that remained unallocated from the previous year, Acton's total FY2005 Community Preservation Fund balance is \$1,149,457.71.

In October, the Committee published its 2005 Community Preservation Plan with updated guidelines and information for applicants seeking community preservation funds. In November, the Committee began deliberations on twelve submissions for funding, plus an open space set-aside. The CPC has reviewed all proposals, solicited legal opinion as to the eligibility of each of the projects, interviewed the respective proponents, solicited input from Town Boards, including the Selectmen and Finance Committee, and sought and received public input. The Committee's FY2005 recommendations are being presented for action by all citizens at the April 2005 Town Meeting.

The Community Preservation Committee generally meets every 2<sup>nd</sup> and 4<sup>th</sup> Thursday of the month in the Acton Memorial Library meeting room. All CPC meetings are open and the Committee welcomes public participation throughout the process. Citizens may email the Committee at [cpc@acton-ma.gov](mailto:cpc@acton-ma.gov) or contact the Town Planning office at (978) 264-9636 with questions, comments, and feedback. For additional information and to view the current Community Preservation proposals, citizens may visit the Community Preservation page on the Town website at [www.acton-ma.gov](http://www.acton-ma.gov).

#### **2004 CPC Members:**

Peter Berry, at-large, Chairman  
Catherine Coleman, at-large, Vice Chairman  
Robert Coan, Peter Grover (former), Historical Commission representative  
Walter Foster, Board of Selectmen representative  
Matt Lundberg, Alison Gallagher (former), Recreation Commission representative  
Susan Mitchell-Hardt, at-large  
Andrew Magee, Conservation Commission representative  
Stacy Rogers, Christopher Schaffner (former), Planning Board representative  
Ken Sghia-Hughes, Erin Bettez (former), Acton Housing Authority representative  
Nancy Tavernier, Associate  
Vacant, Mimi Herington (former), Associate  
Roland Bartl, Town Planner, staff support